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Austin City Council MINUTES

For JULY 20, 1989 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

Mayor Cooke called to order the meeting of the Council, noting that Councilmember Humphrey would be absent for the day and that Councilmember Barnstone and Urdy would arrive later.

MINUTES APPROVED

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Nofziger's second, approved minutes for regular meeting of July 13, 1989. (4-0 Vote, Councilmembers Barnstone, Urdy and Humphrey absent.)

CITIZEN COMMUNICATIONS

The following people discussed the convention center: Charles R. Ervin, John D. Timmons, Jim Butler, Manuel Arizpe, Dianne Hill, Mary Ellen Solis, Julieta G. Garcia, Eric E.P. Shellhorn, Juanita Cortez, and Fernando Dubove.

Mr. Steven Redding, Tree Man of Pennsylvania, discussed Treaty Oak.

ITEMS WITHDRAWN OR POSTPONED

The Brackenridge Hospital Board report on Psychiatric Health Services was withdrawn.

On July 18, 1989, Council adopted the general topic areas and funding allocations for the fiscal year 1989-90 (15th year) Community Development Block Grant Program.

Postponed to July 27, 1989 is consideration of approval of a contract award to Chris and Tom Strand for water heater blankets and vinyl tapes in an amount not to exceed \$58,464.00 - Environmental and Conservation Services Department (Resource Management Division).

Postponed to July 27, 1989 is consideration of submitting a grant application to the Texas Parks and Wildlife Department for the development of Dick Nichols Park. City's matching funds from Dick Nichols C.I.P.

No action was taken on a resolution to authorize the City Manager to take appropriate action for property acquisition for the Convention Center.

Postponed to August 10, 1989 are three items:

- Second/third readings of an ordinance allowing the City to hold in escrow certain fees concerning the Meadows at Trinity Crossing Subdivision, establishing final plat.
- Amending an ordinance to pay salary and benefits of one Building Inspector for the Meadows at Trinity Crossing.
- Approve an agreement for payment of building inspection services for the Meadows at Trinity Crossing Subdivision between the City of Austin and Compass Development Companies.

CDBG

The Council, on Councilmember Nofziger's motion, Mayor Pro Tem Shipman's second, adopted a resolution to authorize and approve the City Manager to apply for and accept from the United States Department of Housing and Urban Development \$4,927,000.00 in Fiscal Year 1989-90 (15th Year) Community Development Block Grant Entitlement Program Funds. (4-0 Vote, Councilmember Urdy and Humphrey absent, Councilmember Barnstone abstained.)

AVIATION CONCESSION POLICY

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Carl-Mitchell's second, adopted a resolution approving the Department of Aviation Concession Policy for Robert Mueller Municipal Airport. (5-0 Vote, Councilmembers Urdy and Humphrey absent)

WORKERS COMPENSATION

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, waived the requirement for three readings and finally passed an ordinance authorizing and approving an amendment to the FY 1988-89 Financial Plan by appropriating an additional \$1,713,146.00 to the Workers' Compensation Fund, \$13,146.00 from the Workers' Compensation Fund to the PARD-Golf and Public Events Facilities Funds, and \$74,486.00 from the General Fund to the Hospital Fund. (5-0 Vote, Councilmembers Humphrey and Urdy absent)

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, adopted a resolution authorizing and approving a 2½ month contract award to Adjustco Incorporated, 2200 Powell Street, P.O. Box 8819, Emeryville, California, for a cost not to exceed \$108,000.00 for the Workers' Compensation Third Party Administration and Information Services. (5-0 Vote, Councilmembers Humphrey and Urdy absent)

RATES AT BRACKENRIDGE

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, waived the requirement for three readings and

finally passed an ordinance increasing the rates at Brackenridge Hospital by an average of 8%, and amended the FY 1988-89 Operating Budget by appropriating additional net patient revenues of \$780,087.00. (5-0 Vote, Councilmembers Humphrey and Urdy absent.)

JOLLYVILLE ROAD

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Shipman's second, waived the requirement for three readings and finally passed an ordinance repealing the Ordinance declaring necessity to improve Jollyville Road Phases I,II and III. (6-0 Vote, Councilmember Humphrey absent)

CONSENT RESOLUTIONS

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Shipman's second adopted the following resolutions all in one consent motion: (6-0 Vote, Councilmember Humphrey absent)

Moving Services to Commodore Plaza

Approved a contract award to Burr-Day Transportation, for relocation/moving services to Two Commodore Plaza in an amount of \$41,700.00 included in the 1988-89 budget for the Transportation and Public Services Department.

Grant Application

Authorized and accepted a grant application in the amount of \$530,253.00 from the State of Texas, Governor's Office, Criminal Justice Division for continued funding of the Regional Anti-Drug Abuse Task Force of the Police Department. No cost to City - funds included in FY 1988-89 Budget, participating agencies match is \$64,920.00, seized drug funds.

Paving Assessment Policy

Approved the Paving Assessment Policy as amended.

MUNICIPAL VOTING PRECINCTS

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Carl-Mitchell's second, waived the requirement for three readings and finally passed an ordinance incorporating annexed areas into and deleting disannexed areas from Municipal Voting Precincts. (6-0 Vote, Councilmember Humphrey absent)

BANNER FEES WAIVED

The Council, on Councilmember Barnstone's motion, Councilmember Nofziger's second, adopted a resolution waiving the banner fees of "Ramon's Ice House Music Series", sponsored by La Pena, in Zaragosa Park. (5-1 Vote, Mayor Cooke voted No, Councilmember Humphrey absent.)

ZONING ORDINANCE

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second passed through second/third readings of an ordinance rezoning property locally known as 166 Riverside Drive from "CS" and "CS-3" to "PUD", C814-89-0003 - COX PUBLICCATIONS OF TEXAS, by Graves, Dougherty, Hearon - First reading on June 8, 1989, (6-1). Councilmember Nofziger voted No. (5-1 Reading, Councilmember Nofziger voted No, Councilmember Humphrey absent)

Prior to this vote, there had been a motion which passed the zoning through second reading only, on Councilmember Carl-Mitchell's motion, Mayor Cooke's second with a vote of 4-1 with Councilmember Nofziger voting No, Councilmember Urdy out of the room, Councilmember Humphrey absent.

When Councilmember Urdy re-entered the Council Chamber there was a motion to reconsider on Councilmember Carl-Mitchell's motion, Mayor Cooke's second, which passed by a vote of 6-0, Councilmember Humphrey absent.

LEGAL SERVICES FOR AIRPORT LAND ACQUISITION

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Carl-Mitchell's second, adopted a resolution approving an action plan for legal services for the new airport project land acquisition. (4-2 Vote, Mayor Cooke, Councilmember Barnstone voted No, Councilmember Humphrey absent)

BID AWARD

The Council, on Councilmember Nofziger's motion, Councilmember Urdy's second, adopted a resolution approving a bid award contract to Bancroft Paper Co. dba Gulf Coast Paper Company, P.O. Box 6080, Austin, Texas, for coarse paper products (six month supply agreement) in an amount not to exceed \$59,365.00 - General Services Fund)6078, various City Departments. (6-0 Vote, Councilmember Humphrey absent)

RIGHT OF WAY

The Council, on Councilmember Carl-Mitchell's motion, Mayor Cooke's second, adopted a resolution accepting a State Highway Commission Minute Order #8815 which commits the City of Austin to allocate funds equivalent to the value of the right-of-way donated within the segment bordered by RM 620 and the Travis County Line. (6-0 Vote, Councilmember Humphrey absent)

PUBLIC HEARING SET

Council had before them for consideration rescinding previous action and setting a public hearing for the Shellberg Tract Case.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Barnstone's second, set a public hearing for the Shellberg Tract Case for August 17, 1989 at 6:00 P.M. (6-0 Vote, Councilmember Humphrey absent)

ENDANGERED SPECIES PUBLIC HEARING

The Council, on Councilmember Nofziger's motion, Councilmember Carl-Mitchell's second, set a public hearing for August 17, 1989 at 6:30 P.M. to consider the Endangered Species Survey Ordinance. (5-0 Vote, Councilmember Barnstone out of the room, Councilmember Humphrey absent)

CONVENTION CENTER PARKING

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, adopted a resolution concerning policy for parking for the convention center. (5-0 Vote, Councilmember Barnstone out of the room, Councilmember Humphrey absent)

PUBLIC HEARING - ANNEXATION

Mayor Cooke opened the public hearing set for 3:00 P.M. on annexation of approximately 88 acres of land owned by the University of Texas on Stratford Drive. No one appeared to speak.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, closed the public hearing. (5-0 Vote, Councilmember Barnstone out of the room, Councilmember Humphrey absent)

ITEM POSTPONED

Postponed to July 27, 1989 is consideration of rescinding the reservation of Rental Rehabilitation Program funds to eliminate funding of Austin Mutual Housing Association and Colony Park Partnership, and allocate the remaining funds to Jacobs/Cherney for the rehabilitation of Travis House Apartments.

PUBLIC HEARINGS SET

The Council, on Councilmember Nofziger's motion, Councilmember Carl-Mitchell's second, set the following public hearings: (4-0 Vote, Councilmember Barnstone and Mayor Cooke out of the room, Councilmember Humphrey absent)

- July 27, 1989, 5:30 P.M., public hearing on request for waiver of Anti-Apartheid Ordinance for Amdahl Corporation for disk drive upgrading and mainframe memory upgrade.

- July 27, 1989, 5:45 P.M., public hearing on a request for waiver of Anti-Apartheid Ordinance for Mobile Data International for Data Terminal System.

RECESS

Council recessed its meeting from 3:55 to 5:30 P.M.

EXECUTIVE SESSION

Mayor Cooke announced Council would go into executive session, pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated, to discuss matters of land acquisition, litigation, and no final action, decision or vote by the City Council will be taken on any subject or matter unless specifically listed on the agenda for this meeting.

Pending Litigation - Section 2, Paragraph e

- (a) City of Austin vs. Houston Lighting and Power

Land Acquisition - Section 2, Paragraph f

- (b) Discuss proposals for convention center site selection

RECESS

Council recessed its meeting from 5:32 to 8:03 P.M. Mayor Cooke announced no action would be taken as a result of the executive session.

ADJOURNMENT

The Council adjourned its meeting at 8:04 P.M.